

CHAPTER NO. 140

HOUSE BILL NO. 3260

By Mr. Speaker Naifeh

Substituted for: Senate Bill No. 3214

By Senator Norris

AN ACT to repeal Chapter 378 of the Private Acts of 1947; as amended by Chapter 222 of the Private Acts of 1974, Chapter 40 of the Private Acts of 1977, Chapter 102 and Chapter 118 of the Private Acts of 1983, Chapter 102 of the Private Acts of 1995, Chapter 92 of the Private Acts of 2002, and all other acts amendatory thereto, relative to the Board of Education of Tipton and to provide for new districts, election and powers of the board to divide Tipton County into school districts; and to provide for the number, election, and terms of members of the Tipton County Board of Education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 378 of the Private Acts of 1947, as amended by Chapter 222 of the Private Acts of 1974, Chapter 90 of the Private Acts of 1977, Chapter 102 and Chapter 118 of the Private Acts of 1983, Chapter 102 of the Private Acts of 1995, Chapter 92 of the Private Acts of 2002, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Tipton County shall be divided into nine (9) school districts of substantially equal population, which shall be coextensive with the county legislative body districts as established by resolution of the county legislative body from time to time.

SECTION 3. The Tipton County Board of Education (the "board") shall consist of nine (9) members, with one (1) member of the board being elected by the qualified voters in each school district, on a non-partisan basis. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of approximately one-half (½) of the members of the board shall expire, with the odd-numbered districts expiring at the same time and the even-numbered districts expiring at the same time. Persons elected in the regular August general elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

SECTION 4. During the transition from seven (7) members to the nine (9) members provided for in this act, all incumbent board members shall remain on the board until the expiration of their current terms. To establish staggered terms, as provided in Section 3, at the regular August 2002 elections, one (1) board member shall be elected from each of districts 2, 4, 6, and 8 to four (4) year terms, and one (1) board member shall be elected from district 9 to a two (2) year term. At the regular August 2004 elections, one (1) board member shall be elected from each of districts 1, 3, 5, 7, and 9 to four (4) year terms. Thereafter, all board members shall be elected to four (4) year terms as each member's term expires.

SECTION 5. The Tipton County Board of Education shall have the same powers, duties, privileges, and qualifications as a board of education established pursuant to Tennessee Code Annotated, Title 49.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or

applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Tipton County. Its approval or non-approval shall be proclaimed by the presiding officer of the county legislative body of Tipton County and certified to the Secretary of State.


SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 7.

PASSED: May 1, 2002


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 8th day of May 2002


DON SUNDQUIST, GOVERNOR